

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: John R. Smith and  
Lynda K. Smith

Case No. 23-20103-CMB

Chapter 13  
Related to Doc. No. 37  
**Debtor(s).**

**STIPULATED ORDER MODIFYING PLAN**

WHEREAS, this matter is being presented to the Court regarding

*[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:*

- a motion to dismiss case or certificate of default requesting dismissal
- a plan modification sought by: \_\_\_\_\_
- a motion to lift stay  
as to creditor \_\_\_\_\_
- Other: Clarifying language relating to Part 4.3 of the Plan.

WHEREAS, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

IT IS HEREBY ORDERED that the

*[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]*

- Chapter 13 Plan dated January 29, 2023.
- Amended Chapter 13 Plan dated \_\_\_\_\_

is modified as follows:

*[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]*

- Debtor(s) Plan payments shall be changed from \$ \_\_\_\_\_ to  
\$ \_\_\_\_\_ per \_\_\_\_\_, effective \_\_\_\_\_; and/or the Plan  
term shall be changed from \_\_\_\_\_ months to \_\_\_\_\_ months.

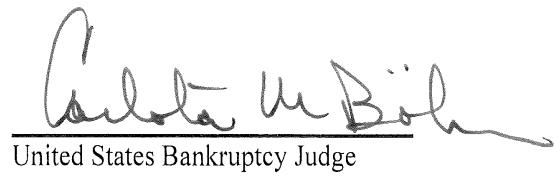
- In the event that Debtor(s) fail(s) to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtor(s) and Debtor(s)' Counsel a notice of default advising the Debtor(s) that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
  - Debtor(s) shall file and serve \_\_\_\_\_ on or before \_\_\_\_\_.
  - If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
  - If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as \_\_\_\_\_ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.
- \* Other: Counsel fees are based on a retainer of \$500.00.

**IT IS FURTHER ORDERED** that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a *de novo* hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

**IT IS FURTHER ORDERED** that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect. The filing party represents to the Court that all affected parties have been notified.

*[Remainder of Page Intentionally Left Blank]*

SO ORDERED, this 8th day of December, 2023



Carla M. Boh

United States Bankruptcy Judge

Stipulated by:

/s/ Jana S. Pail  
Counsel to Debtor

Stipulated by:

/s/ James Warmbrodt  
Counsel to Chapter 13 Trustee

Stipulated by:

N/A  
Counsel to affected creditor

FILED  
12/8/23 3:09 pm  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

cc: All Parties in Interest to be served by Clerk

In re:  
John R Smith  
Lynda K Smith  
Debtors

Case No. 23-20103-CMB  
Chapter 13

District/off: 0315-2  
Date Rcvd: Dec 08, 2023

User: auto  
Form ID: pdf900

Page 1 of 3  
Total Noticed: 29

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).

## CERTIFICATE OF NOTICE

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 10, 2023:**

Recip ID	Recipient Name and Address
db/jdb	+ John R Smith, Lynda K Smith, 116 Madison Avenue, Connellsville, PA 15425-3438
15562890	+ Loan Depot.com, LLC, 6561 Irvine Center Drive, Irvine, CA 92618-2118
15579159	loanDepot.com, LLC, Attn: Bankruptcy5465 Legacy Drive, Suite, Plano, TX 75024

TOTAL: 3

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: rmscedi@recoverycorp.com	Dec 09 2023 01:03:54	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
cr	Email/Text: bnc-quantum@quantum3group.com	Dec 09 2023 00:06:00	Quantum3 Group LLC, Sadino Funding LLC, PO Box 788, Kirkland, WA 98083-0788
15562884	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Dec 09 2023 00:08:35	Best Buy, P.O. Box 70601, Philadelphia, PA 19176-0601
15562885	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Dec 09 2023 01:03:52	Citi Card/Citibank, P.O. Box 6241, Sioux Falls, SD 57117-6241
15562886	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Dec 09 2023 00:06:00	Comenity Bank/Playstation, P.O. Box 182789, Columbus, OH 43218-2789
15562887	+ Email/Text: mrdiscen@discover.com	Dec 09 2023 00:06:00	Discover Bank, P.O. Box 30939, Salt Lake City, UT 84130-0939
15564704	Email/Text: mrdiscen@discover.com	Dec 09 2023 00:06:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
15569150	Email/Text: EBNBKNOT@ford.com	Dec 09 2023 00:06:00	Ford Motor Credit Company LLC, PO Box 62180, Colorado Springs, CO 80962-2180
15568663	Email/Text: EBNBKNOT@ford.com	Dec 09 2023 00:06:00	Ford Motor Credit Company, LLC, Dept 55953, P.O. Box 55000, Detroit MI, 48255-0953
15562888	+ Email/Text: EBNBKNOT@ford.com	Dec 09 2023 00:06:00	Ford Motor Company, P.O. Box 542000, Omaha, NE 68154-8000
15583852	Email/Text: JCAP_BNC_Notices@jcapi.com	Dec 09 2023 00:06:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud MN 56302-9617
15581405	Email/PDF: resurgentbknotifications@resurgent.com	Dec 09 2023 01:03:52	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15562893	Email/Text: Bankruptcy.Notices@pnc.com	Dec 09 2023 00:06:00	PNC Bank, P.O. Box 5580, Cleveland, OH 44101
15580382	Email/Text: Bankruptcy.Notices@pnc.com	Dec 09 2023 00:06:00	PNC Bank NA, Bankruptcy Department, PO BOX 94982, Cleveland, OH 44101
15585684	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Dec 09 2023 00:08:33	Portfolio Recovery Associates, LLC, POB 12914,

District/off: 0315-2

User: auto

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Date Rcvd: Dec 08, 2023

Form ID: pdf900

Total Noticed: 29

			Norfolk VA 23541
15562892	+ Email/Text: bkrgeneric@penfed.org	Dec 09 2023 00:05:00	Pentagon Federal Credit Union, 2930 Eisenhower Avenue, Alexandria, VA 22314-4557
15599834	Email/Text: bnc-quantum@quantum3group.com	Dec 09 2023 00:06:00	Quantum3 Group LLC as agent for, Sadino Funding LLC, PO Box 788, Kirkland, WA 98083-0788
15583182	Email/Text: bnc-quantum@quantum3group.com	Dec 09 2023 00:06:00	Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
15562895	+ Email/PDF: ais.sync.ebn@aisinfo.com	Dec 09 2023 00:08:32	SYNCB/Amazon, PO Box 965015, Orlando, FL 32896-5015
15562896	+ Email/PDF: ais.sync.ebn@aisinfo.com	Dec 09 2023 00:19:34	SYNCB/Levin, P.O. Box 965036, Orlando, FL 32896-5036
15562897	+ Email/PDF: ais.sync.ebn@aisinfo.com	Dec 09 2023 00:08:16	SYNCB/Lowes, P.O. Box 965005, Orlando, FL 32896-5005
15562898	+ Email/PDF: ais.sync.ebn@aisinfo.com	Dec 09 2023 00:19:19	SYNCB/TJX, P.O. Box 965015, Orlando, FL 32896-5015
15563295	+ Email/PDF: ais.sync.ebn@aisinfo.com	Dec 09 2023 00:08:16	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15569834	+ Email/Text: bncmail@w-legal.com	Dec 09 2023 00:06:00	TD Bank USA, N.A., C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
15562899	+ Email/Text: bncmail@w-legal.com	Dec 09 2023 00:06:00	TD Bank/Target Credit, PO Box 673, Minneapolis, MN 55440-0673
15562900	Email/PDF: Citi.BNC.Correspondence@citi.com	Dec 09 2023 00:19:48	The Home Depot/CBNA, PO Box 6497, Sioux Falls, SD 57117-6497

TOTAL: 26

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		LOANDEPOT.COM, LLC
15562883		Amber Smith
15562891		Nicole Smith
15562889	*+	Ford Motor Company, P.O. Box 542000, Omaha, NE 68154-8000
15562894	*P++	PNC BANK RETAIL LENDING, P O BOX 94982, CLEVELAND OH 44101-4982, address filed with court:, PNC Bank, P.O. Box 5580, Cleveland, OH 44101

TOTAL: 3 Undeliverable, 2 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 10, 2023

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 8, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor LOANDEPOT.COM LLC bnicholas@kmllawgroup.com
Jana S. Pail	on behalf of Joint Debtor Lynda K Smith jpail@wtplaw.com llescallette@wtplaw.com
Jana S. Pail	on behalf of Debtor John R Smith jpail@wtplaw.com llescallette@wtplaw.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecl@chapter13trusteewdpa.com

TOTAL: 5